



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: August 16, 2006

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Jennifer M. Perrin

Interim City Clerk

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NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Actual litigation: Government Code §54956.9(a); one case, City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Francisco, Superior Court, Case No. CGC-05-441976
- b) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- c) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- d) Actual litigation: Government Code §54956.9(a); one case; Peter Rose et al. v. the City of Lodi, et al.; United States District Court, Eastern District of California, Case No. CIV.S-05-02229
- e) Actual Litigation: Government Code §54956.9(a); one case; County of San Joaquin v. City of Stockton et al., San Joaquin County Superior Court, Case No. CV029651
- f) Conference with legal counsel – initiation of litigation; Government Code §54956.9(c); one case

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Ken Owen, Christian Community Concerns

C. Pledge of Allegiance

D. Presentations

D-1 Awards

- a) Presentation of Community Improvement Awards (CD)

D-2 Proclamations

- a) Jumpstart's Read for the Record Day (LIB)

D-3 Presentations – None

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$6,508,874.99 (FIN)

- E-2 Approve minutes (CLK)
 - a) June 21, 2006 (Regular Meeting)
 - b) July 18, 2006 (Shirtsleeve Session)
 - c) July 25, 2006 (Shirtsleeve Session)
 - d) August 9, 1006 (Special Meeting)
- E-3 Receive quarterly report of purchases between \$5,000 and \$20,000 (FIN)
- E-4 Approve request for proposals for benefits administration consultant/broker (CM)
- Res. E-5 Adopt resolution awarding contract for upgrades to Carnegie Forum audio/visual presentation equipment to Anderson Audio Visual, of Sacramento (\$18,713.75) (CM)
- Res. E-6 Adopt resolution awarding contract for Well 27 Well Drilling at 2360 West Century Boulevard (DeBenedetti Park) to Zim Industries, Inc., of Fresno (\$208,700) (PW)
- Res. E-7 Adopt resolution awarding contract for Church Street and Sacramento Street Overlays 2006 Project to George Reed, Inc., of Lodi (\$374,790) (PW)
- Res. E-8 Adopt resolution approving additional technical services with Treadwell & Rollo, Inc., and appropriating funds (\$235,000) (PW)
- Res. E-9 Adopt resolution accepting improvements under contract for Elevated Water Tank Recoating Project (PW)
- Res. E-10 Adopt resolution accepting street improvements along Harney Lane and Cherokee Lane and 24-foot wide public lanes within The Villas, Tract No. 3400 (PW)
- Res. E-11 Adopt resolution accepting improvements at Vintner's Square, Parcel Map No. 002P008 (corner of Lower Sacramento Road and Kettleman Lane) (PW)
- Res. E-12 Adopt resolution authorizing the City Manager to execute a professional services agreement with Wenell Mattheis Bowe for design services for the Municipal Service Center transit vehicle maintenance facility (not to exceed \$186,700) (PW)
- E-13 Authorize the City Manager to terminate the lease option agreement with Lodi City Center 12 for the retail space in the Lodi Station Parking Structure (CM)
- E-14 Set public hearing for August 30, 2006, to consider certifying an Environmental Impact Report and approving General Plan amendment, zone change, development agreement, and annexation to allow development of a single tenant office building (approximately 200,000 square feet) on 20 acres, general retail commercial uses on 40 acres, 1,084 dwelling units of various densities, and associated public and quasi-public facilities (Reynolds Ranch project) on a total of 220 acres located on the south side of Harney Lane between State Highway 99 and the Union Pacific Railroad to the west (Applicant: San Joaquin Valley Land Company, File #s 06-GM-01, 06-EIR-01, 06-AX-01) (CD)
- E-15 Set public hearing for September 6, 2006, to consider two appeals of the Planning Commission's site and architectural plan approval for the Vineyard Christian Middle School located at 2301 West Lodi Avenue (Appellants: Vineyard Christian Middle School and David Johnson et al., regarding File #06-SP-06) (CD)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings – None

J. Communications

J-1 Claims filed against the City of Lodi – None

J-2 Appointments – None

J-3 Miscellaneous – None

K. Regular Calendar

K-1 Provide direction with regard to a request from Mayor Hitchcock regarding consideration of a development moratorium (CM / CA)

Ord. K-2 Introduce ordinance amending Lodi Municipal Code Title 5 – Permits and Regulations – by
(Introduce) adding Chapter 5.25, “Pedicabs” (CM)

Res. K-3 Adopt resolution approving an alternative retirement system for part-time, seasonal, and temporary employees (CM)

K-4 Approve six-month budget for M&P Investments, Hartford, and Envision cases (CA)

K-5 Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel (\$177,660.19) (CA)

L. Ordinances – None

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Jennifer M. Perrin
Interim City Clerk